REMARKS

Claims 1-32 remain in the application for consideration of the Examiner.

Reconsideration and withdrawal of the outstanding rejections and objections are respectfully requested in light of the above amendments and following remarks.

Claim 5 was objected to because of an informality.

By the instant amendment, Claim 5 has been amended to take into consideration the helpful comments of the Examiner.

It is respectfully submitted that Claims 1-32 are free from informalities.

Turning now to the art rejection, Claims 1-5, 8, and 16-23 were rejected under 35 U.S.C. § 103 as being unpatentable over Shi in view of Gunn; Claims 6 and 7 were rejected under 35 U.S.C. § 103 as being unpatentable over Shi and Gunn and further in view of Razavilar; Claim 9 was rejected under 35 U.S.C. § 103 as being unpatentable over Shi and Becker; Claims 10 and 11 were rejected under 35 U.S.C. § 103 as being unpatentable over Shi and Becker in view of Razavilar; Claim 12 was rejected under 35 U.S.C. § 103 as being unpatentable over Shi, Becker, and Cangiani; Claim 13 was rejected under 35 U.S.C. § 103 as being unpatentable over Shi and Becker; Claim 14 was rejected under 35 U.S.C. § 103 as being unpatentable over Shi and Becker and further in view of Dong; and Claim 15 was rejected under 35 U.S.C. § 103 as being unpatentable over Shi and Becker in view of Dong and Krebs.

These rejections are respectfully traversed.

It is respectfully submitted that Shi does not disclose or suggest the presently claimed invention including the chirp signal being substantially orthogonal to delayed versions of the transmitted chirp signal in independent Claim 1, means for creating a

chirp signal such that the delayed versions of the chirp signal are substantially orthogonal to the chirp signal in independent Claim 8, the chirp signal being relatively narrowband and substantially orthogonal to delayed versions of the chirp signal in the input signal in independent Claim 16, the second chirp signal being relatively narrowband and substantially orthogonal to delayed versions of the second chirp signal in independent Claim 20, albeit defined as the step of transmitting the digital chirp signal, the transmitted chirp signal being substantially orthogonal to delayed versions of the transmitted chirp signal in independent Claim 23.

Applicants agree with the Examiner that Shi does not disclose this aspect.

It is respectfully submitted that Gunn does not disclose or suggest the presently claimed invention including the chirp signal being substantially orthogonal to the delayed version of the transmitted chirp signal in the various forms in independent Claims 1, 8, 16, 20, and 23.

Gunn does not relate to a chirp signal or orthogonal chirp signal, Gunn relates to a radar signal.

Whether or not Razavilar discloses a feedback channel and whether or not one of ordinary skill in the art would consider modifying either Shi or Gunn is of no moment since the resulting construction would still in no way disclose or suggest the presently claimed invention.

Furthermore, whether or not Cangiani discloses teaching simulating a chirp code and whether or not one of ordinary skill in the art would consider modifying either Shi or Gunn is of no moment since the resulting construction would still in no way disclose or suggest the presently claimed invention.

Becker does not disclose or suggest the presently claimed invention including the chirp signal being substantially orthogonal to delayed versions of the transmitted chirp signal in the various forms in independent Claims 1, 8, 16, 20, and 23.

The Examiner alleges that it would be obvious to one of ordinary skill in the art to move from the time domain to the orthogonal chip time wave forms.

Applicants respectfully traverse.

Applicants respectfully request a teaching from the prior art which shows the Examiner's allegations.

Whether or not Dong teaches a broad rate carrier decision selection unit and whether or not one of ordinary skill in the art would consider modifying either Shi or Becker is of no moment since the resulting construction would still in no way disclose or suggest the presently claimed invention.

Applicants appreciate the indication that Claims 28-32 are allowed.

Furthermore, Applicants appreciate the indication that if Claims 24-27 were rewritten in independent form including the limitations of the base claim and any intervening claims, these claims would be allowable.

By the instant amendment, these claims have been placed in independent form and consequently they are allowable.

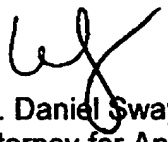
In light of the above, it is respectfully submitted that the present application is in condition for allowance, and notice to that effect is respectfully requested.

While it is believed that the instant response places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is

respectfully requested that the Examiner contact the undersigned in order to expeditiously resolve any outstanding issues.

To the extent necessary, Applicant petitions for an Extension of Time under 37 CFR 1.136. Please charge any fees in connection with the filing of this paper, including extension of time fees, to the deposit account of Texas Instruments Incorporated, Account No. 20-0668.

Respectfully submitted,



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